

Sharon Sandage appeals the small claims court's issuance of a body attachment and bond requirement for her failure to comply with its previous order. We find the following issue dispositive: whether the trial court properly issued a body attachment due to Sandage's failure to comply with a money judgment order.

We reverse and remand.

FACTS AND PROCEDURAL HISTORY

On February 20, 1998, the trial court issued a default judgment in favor of the Curtis Keaton, Sr. and against Sandage in the amount of \$2,140.15. Two months later, Sandage failed to appear for a proceeding supplemental, and the court issued a show cause order. No action was taken on the matter until February 24, 2006, when Keaton submitted Sandage's new address. A summons was issued, a hearing was held, and the parties agreed that Sandage would pay \$20.00 a week until the judgment was paid in full. The trial court approved the agreement, incorporated it into its order, and advised Sandage that if she did not comply with the order, the court would issue a body attachment for her arrest. Six months later, Keaton notified the trial court that Sandage was no longer complying with the agreement. The court issued a body attachment, detained Sandage, and set bond. A hearing was held, and the bond was reduced to the amount Sandage had failed to pay thus far under the agreement, \$310.00. A court spectator went to his truck, got the money, and paid the bond.

DISCUSSION AND DECISION

We first note that Keaton failed to file a brief. As such, we are not required to develop arguments on his behalf and may reverse the trial court upon Sandage's *prima*

facie showing of reversible error. *Cohoon v. Cohoon*, 770 N.E.2d 885, 890 (Ind. Ct. App. 2002), *vacated in part*. “*Prima facie*, in this context, is defined as ‘at first sight, on first appearance, or on the face of it.’” *Id.* (quoting *Burrell v. Lewis*, 743 N.E.2d 1207, 1208 (Ind. Ct. App. 2001)).

In small claims cases, our standard of review is subject to relevant rules and statutes, which, in effect, limit formality and encourage great deference to the trial court’s decision. *Rodziewicz v. Waffco Heavy Duty Towing*, 763 N.E.2d 491, 493 (Ind. Ct. App. 2002). The purpose of a small claims action is to dispense speedy justice between the parties based on substantive law. *Id.* “A judgment is contrary to law when the evidence is without conflict and leads to but one conclusion which is opposite from that reached by the trial court.” *Id.*

Under Article I, Section 22 of the Indiana Constitution, a debtor may not be imprisoned merely for their debt, except in cases of fraud. The only other exception is in child support cases involving minor children. *Foley v. Manor*, 844 N.E.2d 494, 500 (Ind. Ct. App. 2005). Here, Sandage was detained solely for failing to comply with the trial court’s order to pay a debt. Sandage was not arrested for failing to show cause, failing to appear, or any other contempt sufficient to justify a body attachment. *See* IC 34-47-4-2. Thus, this detention was in violation of the Indiana Constitution. *See State ex rel. Wilson v. Monroe Superior Court IV*, 444 N.E.2d 1178, 1180 (Ind. 1983). We reverse the trial court’s order and remand with instructions to release the bond.

Reversed and remanded.

DARDEN, J., and MATHIAS, J., concur.